

# **COLORADO STATE BOARD OF PHARMACY**

**May 16, 2013**

## **Minutes**

The Colorado State Board of Pharmacy meeting was convened by President Paul Limberis, RPh, at approximately 8:31 a.m. on Thursday, May 16, 2013 at 1560 Broadway, Conference Room 110 D, Denver, CO 80202. Notice of this meeting was given in accordance with Division of Professions and Occupations Policy Number 80-17.

Board members attending were: Jeannine Dickerhofe, RPh; Heather Hawker, JD; Donald Johnson, RPh; Paul Limberis, RPh; Ginny Orndorff, MBA; and Armand Potestio, RPh.

Staff members attending were: Wendy Anderson, RPh, Program Director; Chris Gassen, RPh, Chief Inspector; Lisa Cornett, RPh, Inspector; and Jean Rowcliffe, Complaint and Licensing Specialist. Also present were Jo Kaye, Assistant Attorney General, and Jack Wesoky, Senior Assistant Attorney General, to advise the Board.

### **ELECTION OF OFFICERS**

The Board voted unanimously to elect, as officers for the Board, Luis Rivera-Lleras, RPh for President, and Armand Potestio, RPh for Vice President.

### **APPROVAL OF THE MINUTES**

The Board approved of the minutes from the February 21, 2013 and March 21, 2013 meetings as amended.

### **REPORTS**

#### **President's Remarks**

Mr. Limberis thanked everyone that has been a part of the Pharmacy Board with him over the years. This will be his last meeting, and he has found the experience most rewarding. He also thanked Ms. Dickerhofe and the group she works with for their wonderful work on planning the upcoming National Association of Boards of Pharmacy (NABP) district meeting.

#### **Program Director's Report**

Ms. Anderson announced that after 17 years of state service, she will be retiring at the end of June. Chris Gassen will be the new Program Director.

Mr. Gassen stated that with Mr. Limberis' term with the Board fulfilled, the Board will need a new Board liaison for the Colorado Pharmacist Society. Don Johnson stated that he would be the new liaison.

Mr. Gassen also stated that the Board will need a representative to serve on the Governor's Expert Emergency Epidemic Response Committee, and since Ms. Dickerhofe has been the backup member, Ms. Dickerhofe agreed to serve as the Board's primary member and Ms. Orndorff agreed to serve as the Board's backup member.

Mr. Gassen asked the Board to table discussion of the proposed amendments to Board Policy 30-10 (Issuance of Licenses or Registrations with Prior Cease and Desist Orders).

Mr. Gassen presented Proposed Amendments to Board Rules 3.00.21, 4.00.10, 4.00.20 and 15.10.14 and Proposed Addition of Board Rule 3.00.22. The Board voted unanimously to refer these rules to a future rules hearing.

**Colorado Pharmacists Society (CPS) – Paul Limberis, RPh**

The 2013 CPS Annual Meeting will be held on May 30 through June 1, 2013 at the Cheyenne Mountain Resort in Colorado Springs, CO. The Annual meeting will include an Awards and Installation Dinner, where the Pharmacist of the Year and Bowl of Hygeia Awards will be presented.

Planning has begun for the 2014 Winter Continuing Education (CE) Seminar, which will be held on January 12 through 15, 2014 in Vail, CO. Fifteen hours of CE hours will be offered.

**Governor's Expert Emergency Epidemic Response Committee (GEEERC) – Paul Limberis, RPh**

The meeting of the GEEERC was held in May. The Office of Emergency Preparedness and Response (OEPR) provided a grant update. Among activities completed this year was a plan for repackaging bulk medications. The GEEERC also discussed assistance with a system to notify all pharmacists and pharmacies of state-wide disasters that might require pharmaceutical mitigation and intervention. The previous system, CoPharm, is no longer in existence.

**Intern & School Relations – Jeannine Dickerhofe, RPh**

Dr. Catherine Jarvis, Assistant Dean of the University of Colorado Denver School of Pharmacy, reported that 150 students will be graduating the following week. She will be stepping down as the school's Board Liaison, and Jina Moore will be the new liaison.

Rod Carter, Dean of the Regis University School of Pharmacy, reported that the school had their first graduation of pharmacy students, which consists of 50 students. All pharmacy school facility construction is complete.

**Legislation - Jeannine Dickerhofe, RPh**

Ms. Dickerhofe provided an update to the Board regarding the completed legislative session. She reported that the 2013 session was one of the busiest sessions in recent memory as far as legislation affecting pharmacists and pharmacies in Colorado.

**Inspectors**

**Brown's Compounding Center**

The Board reviewed an Agenda Memorandum from Inspector Susan Martin regarding information supplied by the Idaho State Board of Pharmacy and the Colorado Pharmacy Board's most recent inspection findings at Brown's Compounding Center related to the information provided by the Idaho Pharmacy Board.

The Board noted the information and determined that no action was needed.

**King Soopers Pharmacy #16, PDO 7-52**

The Board reviewed an Agenda Memorandum from Ms. Cornett regarding a recent inspection which raised a question regarding centrally filled compounded and flavored prescriptions.

The Board directed its staff to amend rule 3.00.90(e) to prevent centrally filled compounded and flavored prescriptions to be returned to stock at the pharmacy where they are delivered for pick up by patients, then to refer the proposed amendment to this rule for consideration at a future rules hearing.

**King Soopers Pharmacy #33, PDO 9-13**

The Board reviewed an Agenda Memorandum from Ms. Cornett regarding a recent controlled substance accountability audit of King Soopers Pharmacy #33 conducted by Board staff.

The Board voted unanimously to initiate a complaint against the prescription drug outlet registration of King Soopers Pharmacy #33.

**Receipt of non-patient specific compounded products from an out-of-state wholesaler**

The Board reviewed an Agenda Memorandum from Ms. Martin regarding a recent inspection of Central Admixture Pharmacy Services. The Board voted unanimously to refer the case to Executive Session.

After Executive Session, the Board voted unanimously to initiate a complaint against Central Admixture Pharmacy Services' prescription drug outlet registration (PDO 410).

**Update Regarding Referral to Colorado Medical Board**

The Board noted the information.

**OLD BUSINESS**

**Correspondence**

**ALK-Abello, Inc., WHO 7667**

The Board reviewed an Agenda Memorandum from Mr. Gassen regarding ALK-Abello's request to amend an affidavit previously sent by the Board so that it can specifically address the manufacturing and distribution of biological drugs.

The Board voted unanimously to amend the affidavit specifically for biological drugs.

**Medication Therapy Management**

The Board reviewed an Agenda Memorandum from Mr. Gassen regarding whether a pharmacist licensed in another state may provide medication therapy management from a remote location in another state for Colorado residents if not license as a Colorado pharmacist. The Board voted unanimously to refer the matter to Executive Session.

After Executive Session, the Board voted unanimously to send a response stating that a Colorado pharmacist license is required.

### **Out-of-State Prescription Drug Wholesaler Affidavits**

The Board reviewed an Agenda Memorandum from Mr. Gassen summarizing the responses received from out-of-state wholesalers regarding affidavits previously sent by the Board.

The Board voted to initiate a case against six out-of-state wholesalers that did not send an affidavit to the Board as required. Those wholesalers are: Ameridose, WHO 7660; Ameridose, WHO 7290; CVS Caremark #2921, WHO 7251; ESI Mail Pharmacy Service, WHO 7023; Greer Laboratories, WHO 7756; and Ivesco Holdings, WHO 7555.

### **Proposed Amendment to Board Rule 23.00.90**

The Board reviewed an Agenda Memorandum from Mr. Gassen detailing proposed language to modify Board Rule 23.00.90 regarding reporting requirements of the Prescription Drug Monitoring Program (PDMP) and its applicability to IRB investigational drugs.

The Board voted to move the proposed language to a future rulemaking hearing.

### **Complaints**

#### **Brown's Compounding Center, PDO 589 & Case 2012-6416**

The Board voted unanimously to dismiss the complaint as being without merit.

### **Stipulations**

#### **Bacon, Bryan, RPH 18279 and Case 2009-1733**

The Board reviewed an Agenda Memorandum from Mr. Gassen regarding Mr. Bacon's request to modify his current stipulation to allow him to be a pharmacist manager, with approval from the Pharmacy Peer Health Assistance Diversion Program, and to reduce the minimum work hours requirement to 60 hours per month for a majority of the probationary period.

The Board voted unanimously to release Mr. Bacon from his stipulation since all requirements under proposed requirements will be met.

#### **Budman, Lynda, RPH 15314 & Cases 2006-4032, 2007-0787 and 2007-3765**

The Board reviewed an Agenda Memorandum from Mr. Gassen regarding Ms. Budman's request to modify her current stipulation to allow her to be a pharmacist manager, with approval from the Pharmacy Peer Health Assistance Diversion Program, and to reduce the minimum work hours requirement to 60 hours per month for a majority of the probationary period.

The Board voted unanimously to amend the stipulation as requested.

**Buschmann, Teresa, RPH 17826 & Case 2008-3744**

The Board reviewed an Agenda Memorandum from Mr. Gassen regarding Ms. Buschmann's request to modify her current stipulation to allow her to be a pharmacist manager, with approval from the Pharmacy Peer Health Assistance Diversion Program, and to reduce the minimum work hours requirement to 60 hours per month for a majority of the probationary period. In addition, Ms. Buschmann requested that she be allowed to practice pharmacy in Minnesota and for this practice to count toward her Colorado probation. The Board voted unanimously to refer the case to Executive Session.

After the Executive Session, the Board voted unanimously to amend her stipulation as requested in terms of being a pharmacist manager and to reduce the minimum work hour requirement, but to deny her request to practice pharmacy outside of Colorado for her probation to toll toward her Colorado stipulation.

**Christensen, Jennifer, RPH 18422 & Case 2012-3980**

The Board reviewed an Agenda Memorandum from Mr. Gassen regarding Ms. Christensen's request to modify her current stipulation to allow her to be a pharmacist manager, with approval from the Pharmacy Peer Health Assistance Diversion Program, and to reduce the minimum work hours requirement to 60 hours per month for a majority of the probationary period.

The Board voted unanimously to amend the stipulation as requested.

**Giersch, Curtis, RPH 12448 & Case 2007-1821**

The Board reviewed an Agenda Memorandum from Mr. Gassen regarding Mr. Giersch's request to modify his current stipulation to allow him to be a pharmacist manager, with approval from the Pharmacy Peer Health Assistance Diversion Program, and to reduce the minimum work hours requirement to 60 hours per month for a majority of the probationary period.

The Board voted unanimously to release Mr. Giersch from his stipulation since all requirements under proposed requirements will be met.

**Orr, Meki, RPH 18887 & Case 2012-1555**

The Board reviewed an Agenda Memorandum from Mr. Gassen regarding Ms. Orr's request to modify her current stipulation to allow her to be a pharmacist manager, with approval from the Pharmacy Peer Health Assistance Diversion Program, and to reduce the minimum work hours requirement to 60 hours per month for a majority of the probationary period. The Board voted unanimously to amend the stipulation as requested.

**Potts, Kevin, RPH 16983 & Case 2010-0237**

The Board reviewed an Agenda Memorandum from Mr. Gassen regarding Mr. Pott's request to modify his current stipulation to allow him to be a pharmacist manager, with approval from the Pharmacy Peer Health Assistance Diversion Program, and to reduce the minimum work hours requirement to 60 hours per month for a majority of the probationary period.

The Board voted unanimously to amend the stipulation as requested.

**Aung, Myo, RPH 19190 and Case 2012-6246**

Donald Johnson, RPh, recused.

The Board reviewed an Agenda Memorandum from Mr. Gassen regarding a practice monitor application submitted by Ryan Kassmeier (RPH 15856) as required by a Stipulation and Final Agency Order Mr. Aung entered into with the Board.

After careful consideration of the available information, the Board voted unanimously to deny Mr. Kassmeier's practice monitor application, and directed Mr. Aung to assure that an application for a new practice monitor (who specializes in the dispensing of sterile compounded prescriptions) be submitted to the Board within 10 days.

**NEW BUSINESS**

**Complaints**

**Beattie's Health Mart Pharmacy, PDO 761** **2013-0247**

The Board voted unanimously to issue a Letter of Admonition for violations of the Pharmacists, Pharmacy Businesses, and Pharmaceuticals Act.

**Buschmann, Teresa, RPH 17826** **2013-0977**

The Board voted unanimously to refer the case to Executive Session.

After Executive Session, the Board voted unanimously to dismiss the case. The Board found that there was no reasonable cause to warrant further action at this time.

**Christensen, Jennifer, RPH 18422** **2013-1117**

The Board voted unanimously to dismiss the complaint as being without merit.

**Dang, Richard, RPH 17619** **2013-0393**

Donald Johnson, RPh, recused.

The Board voted unanimously to dismiss the complaint as being without merit.

**Dansby, Thomas, RPH 12698** **2013-0213**

Donald Johnson, RPh, recused.

The Board voted unanimously to refer the case to Executive Session.

After Executive Session, the Board found that the public health, safety, or welfare imperatively required emergency action and voted unanimously to summarily suspend Mr. Dansby's pharmacist license should he fail to enter into an interim cessation of practice agreement with the Board by 3:00 p.m. on May 28, 2013. The Board also voted unanimously to order Mr. Dansby to obtain an evaluation pursuant to C.R.S. 12-42.5-204(3) from the Pharmacy Peer Health Assistance Diversion Program.

**DOC Pharmacy, PDO 99-1**

**2013-0835**

Donald Johnson, RPh, recused.

The Board voted unanimously to refer the case to Executive Session.

After Executive Session, the Board voted unanimously to refer the case for discipline.

**Garcia, Michele, RPH 18197**

**2013-0418**

The Board voted unanimously to issue a Letter of Admonition for violations of the Pharmacists, Pharmacy Businesses, and Pharmaceuticals Act.

**Heimke, David, RPH 8789**

**2013-0408**

Don Johnson, RPh, recused.

The Board voted unanimously to refer the case to Executive Session.

After Executive Session, the Board voted unanimously to table the case for its review at its January 2014 meeting.

**Jaryno, Peter, RPH 17093**

**2013-1577**

The Board voted unanimously to refer the case to Executive Session.

After Executive Session, the Board found that the public health, safety, or welfare imperatively required emergency action and voted unanimously to summarily suspend Mr. Jaryno's pharmacist license should he fail to enter into an interim cessation of practice agreement with the Board by 3:00 p.m. on May 28, 2013.

**Leiter's Pharmacy, OSP 5267**

**2013-0306**

The Board voted unanimously to refer the case to Executive Session.

After Executive Session, the Board voted unanimously to refer the case for discipline.

**Boulder Community Foothills Hospital, PDO 505**

**2013-0256**

The Board voted unanimously to issue a Letter of Admonition for violations of the Pharmacists, Pharmacy Businesses, and Pharmaceuticals Act.

**Portfolio, Roger, RPH 12876**

**2013-0254**

The Board voted unanimously to refer the case to Executive Session.

After Executive Session, the Board voted unanimously to dismiss the case. The Board found that there was no reasonable cause to warrant further action at this time.

**McConnell, Nathan, RPH 19402**

**2013-0460**

The Board voted unanimously to refer the case to Executive Session.

After Executive Session, the Board voted unanimously to dismiss the case. The Board found that there was no reasonable cause to warrant further action at this time.

**Mitchell, Brian, RPH 9772**

**2013-0628**

Jeannine Dickerhofe, RPh, recused.

The Board voted unanimously to dismiss the complaint as being without merit.

**Mora, Ojinika, IN 2005670**

**2013-0488**

The Board voted unanimously to refer the case to Executive Session.

After Executive Session, the Board voted unanimously to issue a Letter of Admonition for violations of the Pharmacists, Pharmacy Businesses, and Pharmaceuticals Act.

**Newlin, Russell, RPH 10988**

**2013-0188**

Paul Limberis, RPh, recused.

The Board voted unanimously to dismiss the complaint as being without merit.

**Nguyen, Clairah, RPH 18603**

**2013-0416**

Jo Kaye, AAG, recused.

The Board voted unanimously to dismiss the complaint as being without merit.

**Omnicare of Golden, PDO 25-3**

**2013-0402**

The Board voted unanimously to dismiss the complaint as being without merit.

The Board also voted unanimously to initiate a case against Omnicare of Golden for an alleged incomplete list of employees.

**Rorex, Troy, RPH 17269**

**2012-6875**

The Board voted unanimously to refer the case to Executive Session.



After Executive Session, the Board voted unanimously to dismiss the case. The Board found that there was no reasonable cause to warrant further action at this time.

**Stackpool, Michael J., Unlicensed** **2013-0868**

The Board voted unanimously to dismiss the complaint as being without merit.

**Stocker, Krista, RPH 17097** **2013-0834**

The Board voted unanimously to refer the case to Executive Session.

After Executive Session, the Board voted to issue a Letter of Admonition for violations of the Pharmacists, Pharmacy Businesses, and Pharmaceuticals Act.

**Todd's Harvard Park Pharmacy, PDO 200** **2013-0308**

The Board voted unanimously to refer the case to Executive Session.

After Executive Session, the Board voted unanimously to refer the case for discipline.

**Hilst, Todd, RPH 11288** **2013-0315**

The Board voted unanimously to refer the case to Executive Session.

After Executive Session, the Board voted unanimously to refer the case for discipline.

**Hudgings, Ian, Unlicensed** **2013-0309**

The Board voted unanimously to refer the case to Executive Session.

After Executive Session, the Board voted unanimously to issue a Cease and Desist Order against Mr. Hudgings for alleged unlicensed practice of pharmacy.

**Accredo Health Group, OSP 5287** **2013-0528**

The Board voted unanimously to refer the case to Executive Session.

After Executive Session, the Board voted unanimously to dismiss the case. The Board found that there was no reasonable cause to warrant further action at this time.

**California Specialty Pharmacy, OSP 6033** **2013-0542**

The Board voted unanimously to dismiss the complaint as being without merit.

**Cardinal Health 414, LLC, OSP 5943** **2013-0544**

The Board voted unanimously to refer the case to Executive Session.

After Executive Session, the Board voted to issue a Letter of Admonition for violations of the Pharmacists, Pharmacy Businesses, and Pharmaceuticals Act.

**CareKinesis, Inc., OSP 5948**

**2013-0546**

The Board voted unanimously to refer the case to Executive Session.

After Executive Session, the Board voted unanimously to refer the case for discipline.

**Critical Care Systems, OSP 5821**

**2013-0555**

The Board voted unanimously to refer the case to Executive Session.

After Executive Session, the Board voted unanimously to dismiss the case. The Board found that there was no reasonable cause to warrant further action at this time.

**Key Compounding Pharmacy, OSP 5394**

**2013-0578**

The Board voted unanimously to refer the case to Executive Session.

After Executive Session, the Board voted unanimously to refer the case for discipline.

The Board also voted unanimously to refer to this matter to the Colorado Medical Board and the Washington State Board of Pharmacy.

**Medi-Physics, Inc., OSP 5431**

**2013-0582**

The Board voted unanimously to refer the case to Executive Session.

After Executive Session, the Board voted unanimously to dismiss the case. The Board found that there was no reasonable cause to warrant further action at this time.

**Optimal Pharmacies, Inc., OSP 6054**  
**dba Komoto Custom Care Pharmacy**

**2013-0587**

The Board voted unanimously to refer the case to Executive Session.

After Executive Session, the Board voted unanimously to refer the case for discipline.

**Rood and Riddle Veterinary Pharmacy, LLC, OSP 5696**

**2013-0549**

The Board voted unanimously to refer the case to Executive Session.

After Executive Session, the Board voted unanimously to refer the case for discipline.

**Westcliff Compounding Pharmacy, OSP 5969**

**2013-0575**

The Board voted unanimously to refer the case to Executive Session.

After Executive Session, the Board voted unanimously to refer the case for discipline.

**Agewell Pharmacy, OSP 6095**

**2013-0529**

The Board voted unanimously to refer the case to Executive Session.

After Executive Session, the Board voted to issue a Letter of Admonition for violations of the Pharmacists, Pharmacy Businesses, and Pharmaceuticals Act.

**BioRx, LLC, OSP 5977** **2013-0541**

The Board voted unanimously to refer the case to Executive Session.

After Executive Session, the Board voted to issue a Letter of Admonition for violations of the Pharmacists, Pharmacy Businesses, and Pharmaceuticals Act.

**Compounding Corner Pharmacy, Inc., OSP 5985** **2013-0552**

The Board voted unanimously to refer the case to Executive Session.

After Executive Session, the Board voted to issue a Letter of Admonition for violations of the Pharmacists, Pharmacy Businesses, and Pharmaceuticals Act.

**Holistic Pharmacy Services Inc., OSP 6099** **2013-0572**

The Board voted unanimously to refer the case to Executive Session.

After Executive Session, the Board voted to issue a Letter of Admonition for violations of the Pharmacists, Pharmacy Businesses, and Pharmaceuticals Act.

**Infuscience, OSP 6102** **2013-0577**

The Board voted unanimously to refer the case to Executive Session.

After Executive Session, the Board voted to issue a Letter of Admonition for violations of the Pharmacists, Pharmacy Businesses, and Pharmaceuticals Act.

**Valley View Drugs, Inc., OSP 6021** **2013-0535**

The Board voted unanimously to refer the case to Executive Session.

After Executive Session, the Board voted to issue a Letter of Admonition for violations of the Pharmacists, Pharmacy Businesses, and Pharmaceuticals Act.

**Apria Pharmacy Network, OSP 5082** **2013-0538**

The Board voted unanimously to dismiss the complaint as being without merit.

**Cardinal Health, OSP 5397** **2013-0543**

The Board voted unanimously to dismiss the complaint as being without merit.

**Choice Source Therapeutics of Houston, TX, LLC, OSP 5388** **2013-0551**

The Board voted unanimously to dismiss the complaint as being without merit.

**Costco Wholesale Corporation, OSP 5848** **2013-0553**

The Board voted unanimously to dismiss the complaint as being without merit.

**Covance Specialty Pharmacy LLC, OSP 5825** **2013-0554**

The Board voted unanimously to dismiss the complaint as being without merit.

**Curascript, Inc., OSP 5729** **2013-0557**

The Board voted unanimously to dismiss the complaint as being without merit.

**DailyMed Pharmacy, OSP 6071** **2013-0558**

The Board voted unanimously to dismiss the complaint as being without merit.

**DEGC Enterprises (U.S.), Inc., OSP 5165** **2013-0559**

The Board voted unanimously to dismiss the complaint as being without merit.

**Diabetes Care Club, LLC dba Rx Care Club, OSP 6097** **2013-0560**

The Board voted unanimously to dismiss the complaint as being without merit.

**Diabetic Care Services & Pharmacy, OSP 5885** **2013-0561**

The Board voted unanimously to dismiss the complaint as being without merit.

**Diplomat Specialty Pharmacy, OSP 5745** **2013-0562**

The Board voted unanimously to dismiss the complaint as being without merit.

**Fifty 50 Medical Devices, LLC, OSP 5823** **2013-0567**

The Board voted unanimously to dismiss the complaint as being without merit.

**Goodlife Pharmacy, Inc., OSP 6124** **2013-0569**

The Board voted unanimously to dismiss the complaint as being without merit.

**Hartley Medical Center Pharmacy, Inc., OSP 5641** **2013-0570**

The Board voted unanimously to dismiss the complaint as being without merit.

**Home Care Solutions, Inc., OSP 5528** **2013-0573**

The Board voted unanimously to dismiss the complaint as being without merit.

**Infinity Infusion Care, LTD, OSP 5187** **2013-0576**

The Board voted unanimously to dismiss the complaint as being without merit.

**Maxor National Pharmacy Services Corporation, OSP 5068** **2013-0580**

The Board voted unanimously to dismiss the complaint as being without merit.

**Med Mart Pharmacy, OSP 5229** **2013-0581**

The Board voted unanimously to dismiss the complaint as being without merit.

**Medsource Rx Pharmacy, OSP 5897** **2013-0583**

The Board voted unanimously to dismiss the complaint as being without merit.

**Pacific Coast Pharmacy, OSP 6091** **2013-0588**

The Board voted unanimously to dismiss the complaint as being without merit.

**Safety Drugs, OSP 5988** **2013-0596**

The Board voted unanimously to dismiss the complaint as being without merit.

**SmartPak Equine, LLC, OSP 5401** **2013-0597**

The Board voted unanimously to dismiss the complaint as being without merit.

**WellDyne Rx – FL, OSP 5766** **2013-0571**

The Board voted unanimously to dismiss the complaint as being without merit.

**ALK-Abello, Inc., OSP 5715** **2013-0532**

The Board voted unanimously to dismiss the complaint as being without merit.

**Caremark Illinois Mail Pharmacy, LLC, OSP 5254** **2013-0537**  
**Db a CVS Caremark**

The Board voted unanimously to dismiss the complaint as being without merit.

**Caremark Kansas Specialty Pharmacy, LLC, OSP 5155** **2013-0548**

The Board voted unanimously to dismiss the complaint as being without merit.

**Eagle Pharmacy, LLC, OSP 6123** **2013-0563**

The Board voted unanimously to dismiss the complaint as being without merit.

**ESI Mail Pharmacy Services, Inc., OSP 5015** **2013-0564**

The Board voted unanimously to dismiss the complaint as being without merit.

**Express Scripts, OSP 5407** **2013-0565**

The Board voted unanimously to dismiss the complaint as being without merit.

**FFP Acquisition II, LLC, OSP 5623** **2013-0566**

The Board voted unanimously to dismiss the complaint as being without merit.

**My Weight Doctor Pharmacy, LLC, OSP 6120** **2013-0585**

The Board voted unanimously to dismiss the complaint as being without merit.

**Suburban Medical Services, LLC, OSP 6064** **2013-0598**

The Board voted unanimously to dismiss the complaint as being without merit.

**Superior Biologics IL, Inc., OSP 6128** **2013-0527**

The Board voted unanimously to dismiss the complaint as being without merit.

**Aspire Rx Pharmacy, OSP 5965** **2013-0539**

The Board voted unanimously to table further consideration of the matter pending receipt of the requested affidavit.

**Triumph Pharmacy, LLC, OSP 6093** **2013-0533**

The Board voted unanimously to table further consideration of the matter pending receipt of the requested affidavit.

**Ameridose, LLC, OSP 5801** **2013-0536**

The Board voted unanimously to refer the case to Executive Session.

After Executive Session, the Board voted unanimously to refer the case for discipline.

**Ameridose, LLC, OSP 5841** **2013-0537**

The Board voted unanimously to refer the case to Executive Session.

After Executive Session, the Board voted unanimously to refer the case for discipline.

**CSR Company, Inc., OSP 5789** **2013-0556**

The Board voted unanimously to refer the case to Executive Session.

After Executive Session, the Board voted unanimously to refer the case for discipline.

**Homescripts.com, LLC, OSP 6106**

**2013-0574**

The Board voted unanimously to table further consideration of the matter pending receipt of the requested affidavit.

**Towne Pharmacy, OSP 6030**

**2013-0531**

The Board voted unanimously to refer the case to Executive Session.

After Executive Session, the Board voted unanimously to refer the case for discipline.

**Worksite Pharmacy #11578, OSP 5651**

**2013-0579**

The Board voted unanimously to table further consideration of the matter pending receipt of the requested affidavit.

**Allivet Pharmacy, OSP 5887**

**2013-0534**

The Board voted unanimously to refer the case to Executive Session.

After Executive Session, the Board voted unanimously to issue a Notice to Produce the requested records.

**Care Plus CVS/Pharmacy # 2890, OSP 5335**

**2013-0545**

The Board voted unanimously to refer the case to Executive Session.

After Executive Session, the Board voted unanimously to issue a Notice to Produce the requested records.

**Nw Pharmacy, Inc., OSP 6121**

**2013-0586**

The Board voted unanimously to refer the case to Executive Session.

After Executive Session, the Board voted unanimously to refer the case for discipline.

**Palmer Pharmacy & Much More, OSP 6018**

**2013-0589**

The Board voted unanimously to dismiss the complaint as being without merit.

**Peoples Choice Pharmacy LLC, OSP 6032**

**2013-0590**

The Board voted unanimously to dismiss the complaint as being without merit.

**Pet Meds and Beyond, OSP 5955**

**2013-0591**

The Board voted unanimously to dismiss the complaint as being without merit.

**PharMerica, OSP 6068**

**2013-0592**

The Board voted unanimously to dismiss the complaint as being without merit.

**PICC Lines Plus, LLC, OSP 5815**

**2013-0593**

The Board voted unanimously to dismiss the complaint as being without merit.

**Pure Compounding Pharmacy, OSP 5992**

**2013-0594**

The Board voted unanimously to dismiss the complaint as being without merit.

**LICENSING/REGISTRATION**

**Brumfield, Megan, Pharmacy Intern Applicant**

The Board reviewed an Agenda Memorandum from Mr. Gassen regarding Ms. Brumfield's application for a pharmacy intern license. After careful review of the evaluation from the Colorado Peer Health Assistance Division Program that was ordered during the March 2013 meeting, the Board voted unanimously to issue Mr. Brumfield a pharmacy intern license.

**Olszewski, Kyle, Pharmacy Intern Applicant**

The Board reviewed an Agenda Memorandum from Ms. Rowcliffe regarding Mr. Olszewski's application for a pharmacy intern license. After careful consideration of the available information, the Board voted unanimously to issue Mr. Olszewski a pharmacy intern license.

**Rooney, Miles, Pharmacy Intern Applicant**

The Board reviewed an Agenda Memorandum from Ms. Rowcliffe regarding Mr. Rooney's application for a pharmacy intern license. After careful consideration of the available information, the Board voted unanimously to refer the matter to Executive Session.

After Executive Session, the Board voted unanimously to deny Mr. Rooney's pharmacy intern application. Grounds for denial were noted to include, but were not limited to, CRS 12-42.5-123(1)(d) and (e). The Board also voted unanimously to refer the matter to discipline to offer Mr. Rooney a conditional license.

**MISCELLANEOUS**

**Correspondence, etc.**

**Anonymous Complaint dated 03.08.13**

The Board voted unanimously not to take action.

**Anonymous Complaint dated 03.18.13**

The Board voted unanimously to refer the matter to Executive Session.

After Executive Session, the Board voted unanimously to refer to the matter to the Colorado State Board of Veterinary Medicine for its review.



**Anonymous Complaint dated 04.08.13**

The Board voted unanimously to refer the matter to Executive Session.

After Executive Session, the Board voted unanimously not to take action.

**Arkansas Valley Regional Medical Center Pharmacy's Proposed Policy for Specialized Prescription Drug Outlet under Board Rule 25.00.00**

After careful consideration of the available information, the Board voted unanimously to table further consideration of this policy pending receipt of a policy that is site-specific.

**Codonics Brochure**

The Board noted the information.

**Correspondence from Colorado Society of Eye Physicians and Surgeons**

The Board reviewed a letter from the Colorado Society of Eye Physicians and Surgeons. The Board voted unanimously to refer the matter to Executive Session.

After Executive Session, the Board directed that a letter be sent back addressing the concerns raised in the letter.

**Drug Enforcement Administration (DEA) issued Letter of Admonition to Board Registrant**

The Board voted unanimously to refer the matter to Executive Session.

After Executive Session, the Board voted unanimously to issue a Letter of Admonition to Rio Grande Pharmacy (PDO 28-1) for violations of the Pharmacists, Pharmacy Businesses, and Pharmaceuticals Act.

**FDA Must Have New Authorities to Regulate Pharmacy Compounding**

The Board noted the information.

**NABP Participation in PCAB**

The Board noted the information.

**ProBE Brochure**

The Board noted the information.

**Question regarding licensing requirements.**

The Board voted unanimously to refer the item to Executive Session.

After Executive Session, the Board voted unanimously to table further consideration of the matter pending receipt of additional information.

**Request from Amerita, PDO 401 and 689**

The Board reviewed a letter by Amerita.

After careful consideration, the Board directed that a letter be sent back addressing the concerns raised in the letter.

**SBOP FY12-13 Qtr. 3 Rep**

The Board noted the information.

**State of Disarray**

The Board noted the information.

**The Expanded Use of Independent Monitoring: 2012**

The Board noted the information.

**University of Colorado – Denver Research and Education Agreement with the Colorado Prescription Drug Monitoring Program (PDMP)**

The Board reviewed a request for an extension to a PDMP research agreement between the University of Colorado and the Board and, after careful consideration of the available information, the Board voted unanimously to approve of a six-month extension.

**Whether it is permissible for a pharmacy to pay veterinarians a percentage of reimbursement received for prescriptions for veterinary drugs.**

The Board voted unanimously to refer the matter to Executive Session.

After Executive Session, the Board voted unanimously to refer to the matter to the Colorado State Board of Veterinary Medicine for its review.

**EXECUTIVE SESSION**

At 12:35 p.m., Board President Paul Limberis, R.Ph. moved that the Board enter into Executive Session.

The motion was seconded. The vote was unanimous with six votes approving the motion to go into Executive Session and none opposing.

The Board exited Executive Session at 3:15 p.m.

**Open Session**

**Case 2013-0025**

Donald Johnson, RPh, recused.

The Board voted unanimously to issue a Letter of Admonition for violations of the Pharmacists, Pharmacy Businesses, and Pharmaceuticals Act.

**Case 2013-0087**

The Board voted unanimously to dismiss the case. The Board found that there was no reasonable cause to warrant further action at this time.

**Case 2013-0186**

Donald Johnson, RPh, recused.

The Board voted unanimously to issue a Letter of Admonition for violations of the Pharmacists, Pharmacy Businesses, and Pharmaceuticals Act.

**Case 2013-0259**

Paul Limberis, RPh, recused.

The Board voted unanimously to issue a Letter of Admonition for violations of the Pharmacists, Pharmacy Businesses, and Pharmaceuticals Act.

**Case 2013-0415**

Armand J. Potestio, RPh, recused.

The Board voted unanimously to dismiss the case. The Board found that there was no reasonable cause to warrant further action at this time.

**Case 2013-0453**

Armand J. Potestio, RPh, recused.

The Board voted unanimously to dismiss the case as being without merit.

**Case 2013-0962**

The Board voted unanimously to dismiss the case. The Board found that there was no reasonable cause to warrant further action at this time.

**Cases 2012-0286, 2012-0287, and 2012-0288**

The Board voted unanimously to rescind its previous referral of these cases to discipline and to dismiss the cases. The Board found that there was no reasonable cause to warrant further action at this time.

**ADJOURNMENT**

The Board adjourned at 3:40 p.m.

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Armand J. Potestio, R.Ph.  
Board Vice President

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Approval Date